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EXAMINER
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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/435,602
Filing Date: November 05, 1999
Appellant(s): LEPPINEN, MIKA

MAILED

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Technology Center 2100

Melvin H. Pollack
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 8/4/05 appealing from the Office action mailed

5/4/05.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,505,241	PITTS	1-2003
6,226,752	GUPTA et al.	5-2001
6,343,323	KALPIO et al.	1-2002

6,457,060   MARTIN et al.   9-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1.   Claims 1, 2, and 5-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Pitts (6,505,241) and Gupta et al. (6,226,752).

2.   For claims 1 and 8, Pitts teaches a method (abstract) for minimizing data transmission

(col. 2, lines 20-40) between a station (Fig. 1, 42) and a gateway server (Fig. 1, 24), comprising

the steps of:

> a.   Transmitting by a station to a gateway server a request for at least one of content
>
> and resource located on a web server (col. 7, lines 15-16 and 55-60) using a first protocol
>
> (col. 7, lines 65-67; col. 8, lines 10-15);
>
> b.   Transmitting the request by the gateway server to the web server (col. 11, lines
>
> 20-45) using a second protocol that is compatible with that used by the web server (col. 8,
>
> lines 15-25; col. 11, lines 10-20);
>
> c.   Receiving a "info not here" message by the gateway server from the web server
>
> (col. 15, lines 20-40; see the response above), the redirection message indicating a new
>
> location of the at least one of content and resource (col. 11, lines 45-60; the gateway
>
> checks the servers one at a time to determine which server has the information in cache or
>
> on a hard drive, called a "server terminator");
>
> d.   Creating and transmitting by the gateway server to one of the web server and
>
> another web server another request (Fig. 4, #160; see the response above) for the at least

one of content and resource at the new location in response to said message (col. 11, lines

45-60; the request is passed until the data is found) and without communicating the

message to the station (Fig. 1, #54 and #56, show the pathways of these redirection

messages, and show that the messages travel from gateway to server and back, but do not

travel to the station);

e.   Receiving by the gateway server the at least one of content and resource from said

one of the web server and another web server (col. 11, lines 55-65); and

f.   Transmitting the at least one of content and resource from the gateway server to

the station using the first protocol (col. 11, line 65 – col. 12, line 10).

3.   Pitts does not expressly disclose that the station is mobile. Gupta teaches a method

(abstract) of forwarding requests (Fig. 1) from a client (Fig. 2. 200) over a wireless network (col.

2, lines 1-8). At the time the invention was made, one of ordinary skill in the art would have

added a wireless network to Pitts in order to increase the types of clients that can be linked

together (col. 1, lines 60-65).

4.   Pitts also does not expressly disclose a redirection message from one server to another.

Gupta teaches a method in which a client (Fig. 1, #100; Fig. 2, #200) uses a gateway (Fig. 1,

#125) to access a login server (Fig. 1, #126; Fig. 2, #204). The login server then redirects the

gateway to the application server (Fig. 2, #202) with the new location information (col. 12, lines

45-50) so that the client may retrieve the information (col. 11, lines 30-45). At the time the

invention was made, one of ordinary skill in the arts would have noted that the Pitts system is

used in commerce systems which utilize sensitive financial data (Pitts, col. 2, lines 48-62) and

would have been motivated to add an authentication system to ensure that only authorized people may view this data (Gupta, col. 1, lines 20-40).

5.   For claims 2 and 11, Pitts does not expressly disclose transmitting the new location of the at least one of content and resource to the mobile station from the gateway server after receiving by the gateway server the at least one of content and resource from said one of the web server and another web server. Gupta teaches this limitation in regards to gaining authentication resources from the login server without having to continuously access through the application server (Fig. 3, #314; col. 7, lines 1-25). At the time the invention was made, one of ordinary skill in the art would have sent location information to the client so that the client would not have to go through the process each time (col. 6, lines 20-25).

6.   For claim 5, Pitts does not expressly disclose that the second protocol is based on a World-Wide Web protocol (WWW). Gupta discloses this limitation (col. 2, lines 34-50). At the time the invention was made, one of ordinary skill in the art would have used a WWW protocol to provide a simpler, more uniform means for accessing information on the internet (col. 2, lines 25-35).

7.   For claims 6 and 10, Pitts does not expressly disclose that the second protocol is the HyperText Transport Protocol (HTTP). Gupta teaches this limitation (col. 2, lines 45-50). At the time the invention was made, one of ordinary skill in the art would have used a WWW protocol to provide a simpler, more uniform means for accessing information on the Internet (col. 2, lines 25-35).

8.   For claims 7 and 9, Pitts does not expressly disclose that the request is coded as a Uniform Resource Locator (URL). Gupta teaches this limitation as well (col. 3, lines 15-30). At

the time the invention was made, one of ordinary skill in the art would have used a URL as a

compact way to send the information and to simplify access (col. 3, lines 30-50).

9.   Claims 3 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pitts and

Gupta as applied to claims 1, 2 and 8 above, and further in view of Kalpio et al. (6,343,323).

10.   For claims 3 and 12, Pitts and Gupta do not expressly disclose that the new location is

included as a header transmitted with the at least one of content and resource. Kalpio teaches a

method (see abstract) of using a proxy between a client and a server bank (Fig. 1-3) in which a

header contains the information (col. 1, line 54 – col. 2, line 5). At the time the invention was

made, one of ordinary skill in the art would have combined the two inventions so that the control

data may be kept with the related data for better processing (col. 3, lines 44-52).

11.   Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pitts and Gupta as

applied to claim 1 above, and further in view of Martin et al. (6,457,060).

12.   For claim 4, Pitts and Gupta do not expressly disclose that the first protocol is based on

the Wireless Application Protocol (WAP). Gupta does, however, disclose a wireless network, as

shown above. It is thus inherent that the first protocol over a wireless network be a wireless

protocol such as WAP or Wi-Fi. Martin teaches this protocol (col. 2, lines 63-67; col. 5, line 64

– col. 6, line 18). At the time the invention was made, one of ordinary skill in the art would have

added a WAP protocol to Gupta as a way to implement Gupta's wireless networks in a simple,

robust manner.

(10) Response to Argument

Applicant's arguments filed 8/4/05 have been fully considered but they are not

persuasive. An analysis of the arguments are provided below.

Applicant argues that Gupta does not expressly disclose receiving a redirection message by the

gateway server from the web server, the redirection message indicating a new location of the at

least one of content and resource (P. 6, lines 14-16). Gupta is meant to be an addition to the Pitts

chain, wherein indications of new locations are taught. Gupta is also meant to handle cases in

which server application modifications and authentication method additions (col. 5, lines 35-40;

col. 6, lines 45-50) cause a change in location and require an updating regarding the

information's new status (col. 5, line 40 – col. 6, line 45). For example, a change of information

access to a subscription service (col. 4, lines 30-35) may result in the addition of a firewall (col.

3, lines 1-15) and the addition of the HTTPS protocol (col. 6, lines 44-45), both of which change

the URL and path of the information (col. 5, line 64). See also col. 12, lines 59-61, which states

the particular embodiment used wherein access parameters are set to "restrict the retrieval of the

cookie (or token) to the login server domain and path." While an embodiment to transmit a

redirection message to the client is provided (col. 12, lines 13-25), the redirection (col. 12, line

40 – col. 13, line 40) may also be utilized by the ISP (col. 8, line 65) through the use of a web

server and servlet combination (col. 14, lines 25-60) as further explained in the "Internet" portion

of the background session, and hence the message does not get received by the client.

Applicant alleges that Kalpio does not expressly disclose that the new location is included as a

header transmitted with the at least one of content and resource (P. 7, line 21 – P. 8, line 1).

Kalpio teaches that the headers may be user defined to contain any information that the user

desires (col. 3, 45-60) but can be used particularly in determining the validity of cached pages

(col. 4, lines 60-65) and to set up redirection activities for accesses to certain directories (col. 5,

lines 10-30), in which the URL of the new location is provided within the header.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related

Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Melvin H. Pollack

Conferees:

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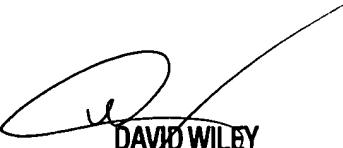
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